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Separate paging is given to this Part in order that it may be filed as a separate compilation.

MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS

(Legislative Department)

New Delhi, the 4th October, 1993/Asvina 12, 1915 (Saka)

The following President's Act is published for general information:—

THE UTTAR PRADESH MUNICIPALITIES, NOTIFIED
AREAS AND TOWN AREAS (ALPAKALIK
VYAVASTHA) AMENDMENT ACT, 1993

No. 12 OF 1993

Enacted by the President in the Forty-fourth Year of the Republic of India.

An Act further to amend the Uttar Pradesh Municipalities, Notified Areas and Town Areas (Alpakalik Vyavastha) Adhiniyam, 1977.

In exercise of the powers conferred by section 3 of the Uttar Pradesh State Legislature (Delegation of Powers) Act, 1993, the President is pleased to enact as follows:—

1. (1) This Act may be called the Uttar Pradesh Municipalities, Notified Areas and Town Areas (Alpakalik Vyavastha) Amendment Act, 1993.

(2) It shall be deemed to have come into force on the 30th day of September, 1992.

2. In section 2 of the Uttar Pradesh Municipalities, Notified Areas and Town Areas (Alpakalik Vyavastha) Adhiniyam, 1977 (hereinafter referred to as the principal Act), for the word and figures "September 30, 1992" wherever they occur, the word and figures "December 31, 1993" shall be substituted.

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3. In section 3 of the principal Act, for the word and figures "September 30, 1992", the word and figures "December 31, 1993" shall be substituted.

Valida-
tion.

4. For the removal of doubts, it is hereby declared that the powers, functions and duties of the Municipal Board, its President and Committees and of the Town Area Committee and its Chairman vested in the District Magistrate immediately before September 30, 1992 shall be deemed to have validly continued to be vested in the District Magistrate and anything done or any action taken by the District Magistrate or by the person or authority to whom he may have delegated his powers, at any time on or after October 1, 1992 shall be valid as if the provisions of the principal Act as amended by this Act were in force at all material times.

SHANKER DAYAL SHARMA,
President.

K. L. MOHANPURIA,
Secy. to the Govt. of India.

Reasons for the enactment

The terms of the Boards and Committees functioning in the Municipal Boards, Notified Areas and Town Areas had expired in 1976 and such Boards and Committees had ceased to fully reflect the aspirations of the people. As such, the Uttar Pradesh Municipalities, Notified Areas and Town Areas (Alpakalik Vyavastha) Adhiniyam, 1977 (U.P. Act No. 13 of 1977) was enacted to provide for vesting of the powers, functions and duties of all the Municipal Boards, Notified Area Committees and Town Area Committees in the District Magistrates as a temporary arrangement for the administration of the Municipal Boards, Notified Areas and Town Areas in the State for a period of one year or until the reconstitution of the said Boards and Committees in accordance with the provisions of the Uttar Pradesh Municipalities Act, 1916 and the Uttar Pradesh Town Areas Act, 1914, as the case may be. The period of the said temporary arrangement was extended from time to time and lastly upto September 30, 1992 by the Uttar Pradesh Municipalities, Notified Areas and Town Areas (Alpakalik Vyavastha) (Sanshodhan) Adhiniyam, 1992 (U.P. Act No. 5 of 1992).

2. In almost all the aforesaid Local Bodies elections were completed and such bodies were duly constituted by September 30, 1992 but in a few elections could not be held and the period of the aforesaid temporary arrangement could not be extended by an enactment. It has, therefore, been decided to extend the period of aforesaid arrangement with retrospective effect from September 30, 1992 to December 31, 1993, and to validate the work done and actions taken by the District Magistrate at any time on or after October 1, 1992.

3. Under the proviso to sub-section (2) of section 3 of the Uttar Pradesh State Legislature (Delegation of Powers) Act, 1993, the President shall, before enacting any President's Act, consult a Committee constituted for the purpose consisting of Members of both the Houses of Parliament. Since a considerable time has already lapsed due to late submission of the proposal by the State Government and also the matter has become very urgent, the measure is, therefore, being enacted without consulting the said Consultative Committee.

K. PADMANABHAIAH,

*Secretary to the Govt. of India,
Ministry of Urban Development.*

